Claims 1 and 6-9 stand rejected under 35 U.S.C. 103(a) as being unpatentable over

Hirayama (US Patent No. 5,493,604 A) in view of Azartash et al. (WO 9921343 A1) and further

view of Takahashi (JP 411027352A) and Takagi et al. (US Patent No. 5,235,656 A). For at least

the following reasons, the Examiner's rejection is respectfully traversed.

None of the references disclose or suggest "a battery terminal, a microphone, a key

diaphragm, and a LED for keys are all mounted on portions of one surface of the flexible board

and said portions are folded or turned down before storing in the lower case" as recited in claim

1.

The Office Action of September 23, 2005 states on page 4:

The resultant phone is foldable (see Hirayama figures 1a and 1b), which reads on

the claimed "a battery terminal, a microphone, a key diaphragm, and a LED for

keys are all mounted on portions of one surface of the flexible board and said

portions are folded or turned down before storing in the lower case."

Although the Hirayama phone is foldable, the above-cited claimed elements refer to the

foldability of a flexible board in the phone case and have nothing to do with whether the phone

itself may be folded. Hirayama does not disclose or suggest anything about phone elements

mounted on portions of one surface of a flexible board and that these portions of the flexible

board are folded or turned down before storing in a case. Therefore, Hirayama fails to disclose

or suggest a battery terminal, a microphone, a key diaphragm, and a LED for keys are all

mounted on portions of one surface of a flexible board and the portions are folded or turned down

before storing in a lower case. Thus, even if combined, the references do not disclose or suggest

all the elements of the claimed invention.

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Claim 11 stands rejected under 35 U.S.C. 103(a) as being unpatentable over Hirayama,

in view of Weisshappel et al. (U.S. Patent No. 5,857,148), and further in view of Tamura (JP

406224816), Takahashi (JP 411027352A) and Takagi et al. (US Patent No. 5,235,656 A). For

at least the following reasons, the Examiner's rejection is respectfully traversed.

None of the references disclose or suggest "a battery terminal, a microphone, a key

diaphragm, and a LED for keys are all mounted on a same surface of the flexible board and

folded or turned down before storing in the lower case" as recited in claim 11.

The Office Action of September 23, 2005 states on page 10:

The resultant phone is foldable (see Hirayama figures 1a and 1b), which reads on

the claimed "a battery terminal, a microphone, a key diaphragm, and a LED for

keys are all mounted a same surface of the flexible board and folded or turned

down before storing in the lower case."

As mentioned previously for claim 1, although the Hirayama phone is foldable, the

above-cited claimed elements refer to the foldability of a flexible board in a phone case and have

nothing to do with whether the phone itself may be folded. Hirayama does not disclose or

suggest anything about phone elements mounted on a same surface of a flexible board and then

folded or turned down before storing in a case. Therefore, Hirayama fails to disclose or suggest

a battery terminal, a microphone, a key diaphragm, and a LED for keys are all mounted on a same

surface of a flexible board and folded or turned down before storing in a lower case. Thus, even

if combined, the references do not disclose or suggest all the elements of the claimed invention.

In light of the foregoing, it is respectfully submitted that the present application is in a

condition for allowance and notice to that effect is hereby requested. If it is determined that the

application is not in a condition for allowance, the Examiner is invited to initiate a telephone

interview with the undersigned attorney to expedite prosecution of the present application.

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If there are any additional fees resulting from this communication, please charge the same to our Deposit Account No. 16-0820, our Order No. 33388.

Respectfully submitted,
PEARNE & GORDON LLP

y:

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